

Legislative Regulation Review Committee

E2010-001

Department of Environmental Protection

REVOLVER DEER HUNTING

STATE OF CONNECTICUT

REGULATION
OF

Department of Environmental Protection

Deer Hunting with a Revolver, Hunting and Trapping

Proposed amendments to sections 26-66-1 and 26-86a-6(h) of the Regulations of Connecticut State Agencies.

Section 1. Subsection (q) of Section 26-66-1 of the Regulations of Connecticut State Agencies are amended to read as follows:

(q) Rifles and handguns using centerfire ammunition or rim fire ammunition having a cartridge case longer than that of a .22 rim fire long rifle cartridge case and the projectile of which is heavier than 20 grains and shotgun ammunition of loads larger or heavier than number two shot shall not be possessed and pistols or revolvers using ammunition larger or heavier than .22 rim fire long rifle cartridge shall not be used for the purposes of hunting as defined in section 26-1 of the Connecticut General Statutes on any private land during the private land shotgun/rifle deer season as specified in section 26-86a-6(d) of the Regulations of Connecticut State Agencies. This provision relating to rifle, [and] shotgun and revolver ammunition shall not apply to persons holding valid landowner, private land rifle shotgun and/or [rifle] revolver deer permits. Waterfowlers hunting from a boat, blind or stationary position may only use the ammunition specified in section 26-66-4(t) of the Regulations of Connecticut State Agencies.

Sec. 2. Section 26-86a-6 of the Regulations of Connecticut State Agencies is amended by adding subsection (h) as follows:

(NEW) (h)

(1) For the purposes of this subsection, "private land deer permittee" means any owner of 10 or more acres of private land and the husband or wife, parent, grandparent, sibling and lineal descendent of such owner who is eligible for a free private land deer permit, as established in section 26-86a of the Connecticut General Statutes, and "revolver" means a "revolver", as defined in section 29-27 of the Connecticut General Statutes, with a cartridge of .357 caliber or larger.

(2) The open season for a private land deer permittee to hunt deer with a revolver pursuant to section 1 of public act 10-99, shall commence on November 1 and end on December 31 of each calendar year. Any such private land deer permittee who seeks to hunt deer with a revolver pursuant to section 1 of public act 10-99 shall obtain a revolver deer permit, as required by section 1 of public act 10-99, and a free private landowner deer permit, as required by section 26-86a of the Connecticut General Statutes.

(3) The open season for any other resident of the state to hunt deer with a revolver on privately owned land pursuant to section 1 of public act 10-99 shall start on the second Wednesday before Thanksgiving Day and end twenty-one consecutive days later. Any such resident who seeks to hunt deer with a revolver pursuant to section 1 of public act 10-99 shall obtain dated written consent of the owner of 10 or more acres of private land, on a form provided by the Commissioner, and shall carry such dated written consent in accordance with section 26-86a-5 of the Regulations of Connecticut State Agencies. Additionally, any such resident shall obtain a revolver deer permit, as required by section 1 of public act 10-99 and a private land rifle shotgun deer permit, as described in section 26-86a of the Connecticut General Statutes.

(4) The bag limit for hunting deer with a revolver shall be:

(A) For a private land deer permittee, the difference between the bag limit that such permittee could achieve by use of a rifle, shotgun, muzzleloader or bow and arrow under a free private landowner deer permit and the number of deer taken pursuant to such free private landowner deer permit; and

(B) For any other resident of the state that hunts deer with a revolver on privately owned land pursuant to section 1 of public act 10-99, the difference between the bag limit that such resident could achieve by use of a rifle or shotgun pursuant to a private land rifle shotgun deer permit and the number of deer taken pursuant to such private land rifle shotgun deer permit.

STATEMENT OF PURPOSE: To amend and adopt regulations which govern deer hunting with a revolver.

To amend and adopt regulations which govern the hunting of deer by use of a revolver consistent with Public Act 10-99 and the Department of Environmental Protection's (DEP) authority under sections 26-66 and 26-86a of the Connecticut General Statutes. Subsection 26-66-1(q) of the Regulations of Connecticut State Agencies ("RCSA") is amended to remove regulatory limitations on the use of a revolver during certain deer hunting seasons that are in conflict with section 1 of Public Act 10-99. Subsection 26-86a-6(h) of the RCSA is added to clarify who and when someone may hunt deer using a revolver, as permitted under section 1 of Public Act 10-99. These emergency regulations are necessary to minimize the risk of a hunting accident during the upcoming deer hunting seasons. By defining the periods during which such private land deer permittees and residents may use a revolver to hunt deer, these emergency regulations drastically reduce the risk that a resident hunting deer with a revolver on the private land of another person will mistakenly shoot a camouflaged bow and arrow hunter.

CERTIFICATION

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Be it known that the foregoing:

[] Regulations [X] Emergency Regulations

Are:

[] Adopted [X] Amended as hereinabove stated [] Repealed

By the aforesaid agency pursuant to:

[] Section 26-66 and 26-86a of the General Statutes.

[] Section of the General Statutes, as amended by Public Act No. of the Public Acts.

[X] Public Act No. 10-99 of the Public Acts.

After publication in the Connecticut Law Journal on of the notice of the proposal to:

[] Adopt [] Amend [] Repeal such regulations

(If applicable): [] And the holding of an advertised public hearing on the day of S

WHEREFORE, the foregoing regulations are hereby:

[] Adopted [X] Amended as hereinabove stated [] Repealed

Effective:

[X] When filed with the Secretary of the State.

(OR)

[] The day of .

	DATE	SIGNED (Head of Board, Agency or Commission)	OFFICIAL TITLE, DULY AUTHORIZED
In Witness Whereof:	9/13/10	Amy Manella	Commissioner/DEP

Approved by the Attorney General as to legal sufficiency in accordance with Sec. 4-169, as amended, C.G.S.:	SIGNED	OFFICIAL TITLE, DULY AUTHORIZED

- [] Approved
- [] Disapproved
- [] Disapproved in part, (Indicate Section Numbers disapproved only)
- [] Rejected without prejudice.

By the Legislative Regulation Review Committee in accordance with Sec. 4-170, as amended, of the General Statutes.	DATE	SIGNED (Clerk of the Legislative Regulation Review Committee)

Two certified copies received and filed, and one such copy forwarded to the Commission on Official Legal Publications in accordance with Section 4-172, as amended, of the General Statutes.

DATE	SIGNED (Secretary of the State)	BY

INSTRUCTIONS

- One copy of all regulations for adoption, amendment or repeal, except emergency regulations, must be presented to the Attorney General for his determination of legal sufficiency. Section 4-169 of the General Statutes.
- Seventeen copies of all regulations for adoption, amendment or repeal, except emergency regulations, must be sent to the standing Legislative Regulation Review Committee for its approval. Section 4-170 of the General Statutes.
- Each regulation must be in the form intended for publication and must include the appropriate regulation section number and section heading. Section 4-172 of the General Statutes.
- Indicate by "(NEW)" in heading if new regulation. Amended regulations must contain new language in capital letters and deleted language in brackets. Section 4-170 of the General Statutes.